



General Assembly

January Session, 2009

Substitute Bill No. 1019

* SB01019APP 051209 *

AN ACT REQUIRING BIODIESEL-BLENDED HEATING OIL AND DIESEL FUEL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) As used in this
2 section, "biodiesel" means a fuel meeting the requirements of
3 designation D6751 of ASTM International. Any diesel fuel or number
4 two heating oil sold in the state shall: (1) Not later than July 1, 2010, be
5 a biodiesel blend containing not less than two per cent biodiesel, (2)
6 not later than July 1, 2011, be a biodiesel blend containing not less than
7 three per cent biodiesel, (3) not later than July 1, 2012, be a biodiesel
8 blend containing not less than four per cent biodiesel, and (4) on and
9 after July 1, 2013, be a biodiesel blend containing not less than five per
10 cent biodiesel.

11 (b) The Commissioner of Environmental Protection may suspend
12 the requirements of subsection (a) of this section if the commissioner
13 finds that the physical availability of fuel or oil which complies with
14 such requirements is inadequate to meet the needs of residential,
15 commercial or industrial users in this state and that such inadequate
16 physical availability constitutes an emergency, provided the
17 commissioner shall specify, in writing, the period of time such
18 suspension shall be in effect.

19 (c) The requirements of subsection (a) of this section shall not apply

20 to heating oil retailers for whom biodiesel is not available at their
21 traditional points of supply.

22 (d) The Commissioner of Consumer Protection may, within
23 available appropriations, enforce the provisions of subsection (a) of
24 this section.

| | | |
|---|--|--|
| This act shall take effect as follows and shall amend the following sections: | | |
|---|--|--|

| | | |
|-----------|------------------------|-------------|
| Section 1 | <i>October 1, 2009</i> | New section |
|-----------|------------------------|-------------|

APP *Joint Favorable Subst.*